

**REMARKS/ARGUMENTS**

This response provides the information requested in the Notice of Non-compliant Amendment mailed May 21, 2008. Claims 16-17 and 22-24 now indicate their status as "withdrawn" as requested. The claim amendments presented herein are otherwise identical to those mailed May 21, 2008. Applicants respectfully request the Examiner consider the withdrawn claims once the claims currently under examination are allowed.

Further, Applicants have attached a Declaration of Qiang Xu filed under 37 CFR § 1.132, per the request in the Notice from the Patent Office. The Declaration is substantially identical to the one submitted on February 19, 2008, but now refers to the present application rather than to US Application No. 10/383,834, in which the declaration was originally filed. The Declaration explains why the Tagliabue reference cited in the Office Action is not enabling for transformation of *L. jensenii*. Further, even if Tagiabue was enabling (which it is not), the reference does not teach or suggest the specific heterologous carboxyl terminal cell wall targeting regions recited in the present claims.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Matthew E. Hinsch  
Reg. No. 47,651

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
Attachments  
61389622 v1